

## DECLARATION FOR PATENT APPLICATION

As a below named inventor, I declare:

that I verily believe myself to be the original, first and sole (if only one individual inventor is listed below) or an original, first and joint inventor (if more than one individual inventor is listed below) of the invention in

## OPTICAL DISK AND OPTICAL DISK APPARATUS

the specification of which is attached hereto unless the following box is checked.

☒ was filed on February 11, 2004 as United States Application or PCT International Application No. 10/775,161, and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

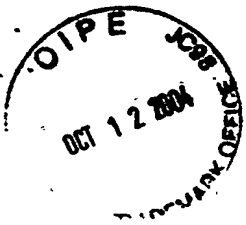
I acknowledge the duty to disclose information of which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365 (b) of any foreign application(s) for patent or inventor's certificate, or 35 U.S.C. 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

<u>Country</u>	<u>Category</u>	<u>Application No.</u>	<u>Filing Date</u>	<u>Priority Claim</u>
Japan	Patent	2003-034113	February 12, 2003	Yes
Japan	Patent	2003-102020	April 4, 2003	Yes

I hereby appoint the registrants of Oblon, Spivak, McClelland, Maier & Neustadt, P.C., 1940 Duke Street, Alexandria, Virginia 22314, Customer No. 22850, or any one of them. Send correspondence to Oblon, Spivak, McClelland, Maier & Neustadt, P.C., 1940 Duke Street, Alexandria, Virginia 22314, Telephone No. (703)413-3000.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



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I declare further that my mailing address is at c/o  
Intellectual Property Division, Toshiba Corporation, 1-1, Shibaura  
1-chome, Minato-ku, Tokyo 105-8001, Japan; and  
that my citizenship and residence are as stated below next to my name:

Inventor: (Signature)DateResidenceDate: **MAR. - 9. 2004**Masahiko TanakaCitizen of: JapanKawasaki-shi, Japan

Masahiko Tanaka

Date: **MAR. - 9. 2004**Citizen of: JapanYokohama-shi, JapanHideaki OhsawaDate: **MAR. - 9. 2004**Citizen of: JapanKawasaki-shi, JapanAkihito OgawaDate: **MAR. - 9. 2004**Citizen of: JapanYokohama-shi, JapanNaoki MorishitaDate:Citizen of: JapanDate:Citizen of: JapanDate:Citizen of: JapanDate:Citizen of: Japan